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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/526,115

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Juha Kaario

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06/25/2008

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EXAMINER

NGUYEN, VAN KIM T

ART UNIT

PAPER NUMBER

2152

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/526,115	<b>Applicant(s)</b> KAARIO ET AL.	
	<b>Examiner</b> Van Kim T. Nguyen	<b>Art Unit</b> 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/28/05</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This Office Action is responsive to communications filed on February 28, 2005.

Claims 1-14 are pending in the case.

#### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on February 28, 2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8, 10-12, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Hoshino et al (US 2003/0095032), hereinafter Hoshino.

Regarding claims 1, 8, 11-12, and 14, Hoshino discloses a method in a portable, digital device (e.g., portable terminal 1) for generating a multimedia message, comprising a multimedia object (e.g., image of target 5a, ¶0064), characterized by the following steps:

- a) emitting an interrogating radio signal in order to stimulate an RFID-transponder tag to emit a response signal (e.g., portable terminal 1 outputs a radio wave toward the RF-ID tag 6.

When the ID tag 6 receives the radio wave, it transmits tag information to the portable terminal 1; Figure 1, ¶0035-0036 and ¶0047-0048);

b) receiving such a response signal, which includes tag information, associated with a multimedia object (e.g., portable terminal 1 receives the tag information associated to an article/item 5a; Figures 1-7, ¶0036-0037 and ¶0064-0065); and

c) initiating the transmission of a multimedia message, based upon the tag information (e.g., portable terminal 1 uses the tag information to make an inquiry to tag management server 2; Figures 1-7, ¶0038-0040).

Regarding claim 2, Hoshino also discloses the tag information includes the multimedia object (e.g., image of target 5a, including photographic screen 28, guide screen 29, item screen 30, and store guide screen 31 of item 5a; Figure 7, ¶0038 and ¶0064-0065).

Regarding claim 3, Hoshino also discloses the user is prompted to accept or reject the inclusion of the multimedia object into the message (e.g., user chooses “get” or “end” from item menu to read or release tag reading mode; Figures 6-7, ¶0066).

Regarding claim 4, Hoshino also discloses the tag information is a link to the multimedia object, which is stored in a database (e.g., tag information including inquiry URL stored in maker database 3a; Figure 2, ¶0039-0041).

Regarding claim 5, Hoshino also discloses the database is stored in the portable, digital device (e.g., storage portion 17; Figure 3, ¶0048).

Regarding claim 6, Hoshino also discloses the database is stored in a node in a mobile communication system, where the portable, digital device is registered (Figure 1).

Regarding claim 7, Hoshino also discloses the database is stored in an internet server, which is accessible for a node in a mobile communication system, where the portable, digital device is registered (Figure 1).

Regarding claim 10, Hoshino also discloses display the multimedia object before transmitting the message (e.g., display image of target 5a; Figure 7; ¶0066-0067).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoshino, as applied to claim 8 above, in view of Barvesten (US 5,864,765).

Hoshino also discloses a keyboard (e.g., operation portion 13; Figure 4A, B, C), and the response signal indicating the portable digital device resides within a predetermined range from the RFID-transponder (e.g., radio wave transmitting/tag information receiving range; ¶0064).

However, Hoshino does not call for a key-lock functionality, and means for activating the key-lock functionality.

Barvesten teaches a key-lock functionality, and means for activating the key-lock functionality (e.g., using a threshold value (Tlock) to activate the key-lock functionality; see abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize Barvesten's method of activating the key-lock functionality in Hoshino's system in order to prevent undesirable and unintentional depression of the keys of a terminal keypad.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Radio Frequency Identification Method and System of Distributing Products; Linton et al (US 7,258,276);

Indicia Reader with Synchronized Light Source and Associated Methods and Computer Program Product; Vesikivi et al (US 7,229,021);

Range Extension for RFID Hand-Held Mobile Computers; Bridgelall (US 7,175,093);

Method and Apparatus for Providing Internet Content to SMS-Based Wireless Devices; Chen et al (US 7,020,685);

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Radio Frequency Identification Architecture; Shanks et al (US 6,989,750);

Portable Radio Communication Terminal Having Expression Style Processing Apparatus therein and Express Style Method; Ono (US 6,928,486);

Event-Based Communication in a Distributed Item Tracking System, Vogler (US 6,843,415);

Interrogation, Monitoring and Data Exchange using RFID Tag, Shaw (US 6,563,417);  
and

Information Propagation Device, Information Terminal, Information Provision System and Information Provision Method, Fukuda (US 2002/0116268).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Van Kim T. Nguyen whose telephone number is 571-272-3073. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Van Kim T. Nguyen  
Examiner  
Art Unit 2152

vkn

/Bunjob Jaroenchonwanit/

Supervisory Patent Examiner, Art Unit 2152